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Federal Communications Commission  
Office of Secretary

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of Industry Proposal for Rating Video Programming CS Docket No. 97-55

Comments of  
The National Coalition on Television Violence

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## **BACKGROUND**

From the very beginning television broadcasters have used children as product sales representatives in the home. In 1951, there were 27 hours of children's programming available each week because broadcasters wanted families to buy one of those "new-fangled" televisions. Once the sets were ensconced in just about every living room in the nation, the commitment to children was overtaken by a new bottom-line focus which had identified the 18 to 49 year-old audience as those coveted by advertisers.

The early 1950's also saw the first studies of the effect of television violence on the child viewer, as well as hearings by the Senate Judiciary Subcommittee to Investigate Juvenile Delinquency on the role of TV shows in youth crime. Network spokesmen "saw" no link between what children were watching and their behavior. Researchers paraded to Capitol Hill, presenting the growing evidence that television affected children's behavior while broadcasters steadfastly declined to accept the "flawed" research. This scene was played out over and over again at hearings in the House of Representatives and the U.S. Senate. At the same time, clever advertisements have been targeted at children to affect their behavior.

In 1980, the National Coalition on Television Violence was founded to spotlight the overwhelming quantity of violence in prime time television, as well as in the Saturday morning cartoons which are specifically intended for viewing by children. This statistic has become almost a cliché:

Children in the United States are, on average, exposed to an estimated 8,000 murders and 100,000 acts of violence on television by the time the child completes elementary school.

The response to the growing research evidence, and parental concerns has been an industry that has said: "If you don't like it, turn it off."

With technological advancements, parents can now do what broadcasters have suggested responsible parents do. They can turn it off without being even physically in the room. This capability is usually referred to as the "V-chip."

The V-chip requires only an inexpensive modification of television sets, and it will be made

infinitely more effective by a uniform rating system. When first proposed, the V-chip was applauded by parents but others were willing to dismiss it as a tool that would only be used by parents who were already controlling children's viewing habits. Particularly critical were those who for years made the many trips to Capitol Hill, denying any effect of television viewing on a child's behavior. Typical was the comment made by the president of the Motion Picture Association of America, Jack Valenti, who dismissed the V-chip by saying, ``Unless parents, schools and churches reinforce moral values, there ain't no gadgetry, government agency or congressional fiat that's going to do any good."

## THE LEGISLATION

Section 551 of the Telecommunications Act of 1996, P.L. 104-104, requires the Federal Communication Commission to prescribe, after consultation with an advisory committee, "guidelines and recommended procedures for the identification and rating of video programming that contains sexual, violent, or other indecent material about which parents should be informed before it is displayed to children."

The National Coalition on Television Violence (NCTV) holds the position that the rating system devised by the television industry, broadcasters, cable and the production community does not meet the requirement set forth in Section 551. It is **clearly** stated that identification and rating be based on programming that "contains sexual, violent, or other indecent material..."

From the industry suggested rating system:

TV-Y7: **may** include mild physical or comedic violence..."

TV-PG: **may** have "infrequent coarse language, limited violence, some suggestive sexual dialogue or situations.

TV-14: **may** contain "sophisticated themes, sexual content, strong language and more intense violence."

TV-M: **may** contain ``mature themes, profane language, graphic violence and explicit sexual content."

In no way does the proposed rating system inform the parent as to the presence of violent content within a rated program. It may be there, or, then again, it may not. The legislation clearly intends that "sexual, violent or other indecent material..." should be treated as separate and individual considerations. The industry's proposed rating system lumps these categories all together and make it impossible for a concerned individual to discern the program's true content - especially if it contains violence. One might ask, "Who stole the V from the V-chip?"

Further, NCTV holds the position that the rating system focuses on an area in which the television industry, broadcasters, cable and the production community is least knowledgeable, i.e. child development. The system requires an in depth knowledge of the intellectual, emotional and social development of children. Educators and curriculum developers can find deciding on "age appropriateness" a daunting task. Can those who labeled *"The Flintstones"* and *"The Jetsons"* "educational and informational television" be trusted to have the expertise in an even more complicated area of child development? Assigning "age appropriateness" should be left to parents and child development professionals.

Some have said the industry cannot be trusted to rate any programming. NCTV counters with, who is more knowledgeable about the violence, sexual content and strong language in a program than the industry that develops it? These are content issues which writers and producers deal with daily, subtracting from and adding to the levels to please ratings and advertisers. These people are qualified to disclose content, if they are given a workable guideline to judge against.

It is really strange that the industry chose to reach back to a "old" technology, the movies, for a rating system, while ignoring the more recent efforts to rate video games. It is suggested that the 27 year old MPAA movie ratings have won consistently high approval from parents. It is truly sad then, that this system was not applied to television programming at least 20 years ago. It has also been suggested that to rate over 2,000 hours of television distributed every day is a "humongous" task. Yet, it has been expected that each parent do this, home, alone, for the last 20 years.

Finally, NCTV shares the industry's rejection of censorship. Yet, it is known that advertisers accept and reject programming and there is now a growing fear that they influence news content as well. Popular programs can fail, not for lack of viewership, but for lack of viewers of the demographics acceptable to certain sponsors.

The Federal Communication Commission has a dual purpose. It does not exist only to protect the interests, spectrum rights and needs of the industry. The people, who have given, free of any cost, the exclusive use of a valuable part of the public domain, need the FCC's protection of **their** interests. When the interests of the people conflict with those of the communication industry, it does not always mean the broadcast industry's First Amendment rights are being attacked. In this case, a content-based rating system is simply providing the public with information from the industry which has a public service obligation.

### CONCLUSION

The National Coalition on Television Violence urges the industry to seriously reconsider the rating system it submitted to the Federal Communication Commission. If the industry fails to voluntarily revise its proposed rating system to one more specific and user-friendly, the FCC must proceed with an advisory committee as set forth in the legislation.

Respectfully submitted,

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